

AUSAs: Kathryn Wheelock, Ben Arad

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

VICTORIA MENDEZ,

Defendant.

24 mj 338
SEALED COMPLAINT

Violation of 18 U.S.C. § 1028(a)(7)
and (2)

COUNTY OF OFFENSE:
WESTCHESTER

SOUTHERN DISTRICT OF NEW YORK, ss.:

KAREN ALTIERI, being duly sworn, deposes and says that she is a Special Agent with the Federal Bureau of Investigation ("FBI"), and charges as follows:

COUNT ONE

Fraud and Related Activity in Connection with Identification Documents

1. On or about March 30, 2023, in the Southern District of New York and elsewhere, VICTORIA MENDEZ, the defendant, knowingly did transfer, possess and use, in and affecting interstate and foreign commerce, and without lawful authority, a means of identification of another person, with the intent to commit and in connection with unlawful activity that constitutes a felony under applicable State and local law, to wit, MENDEZ transferred, possessed, and used an individual's means of identification with the intent to commit grand larceny in the second degree, in violation of New York Penal Law 155.40.

(Title 18, United States Code, Section 1028(a)(7) and 2.)

The bases for my knowledge and for the foregoing charge are, in part, as follows:

2. I am a Special Agent with the FBI, and I have been personally involved in the investigation of this matter. This affidavit is based upon that experience, my examination of reports and records, and my conversations with other law enforcement agents. Because this affidavit is being submitted for the limited purpose of demonstrating probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

3. Based on my review of New Rochelle Police Department ("NRPD") records, communications with NRPD officers, and records from the City Court of the City of New Rochelle, I am aware of the following:

- a. On or about March 30, 2023, an employee of a Toyota car dealership ("Employee-1") in New Rochelle, New York (the "Dealership") reported to NRPD officers that there were two individuals at the Dealership who Employee-1 suspected were using stolen identifications to attempt to purchase a 2023 Toyota Sequoia (the

“Sequoia”). Employee-1 reported that multiple issues were flagged during internal checks of the identities the two individuals had provided when attempting to purchase the Sequoia.

- b. Law enforcement subsequently identified the two individuals as CC-1 and VICTORIA MENDEZ, the defendant.
- c. The two individuals had provided driver’s licenses when attempting to purchase the Sequoia: one bore the name, birthdate, and address of “M.M.” and the other bore the name, birthdate and address of “J.U.”¹. The M.M. driver’s license bore CC-1’s photograph; the J.U. driver’s license bore MENDEZ’s photograph.
- d. CC-1 and MENDEZ had also filled out a document titled “New Vehicle Purchase Agreement” (the “Agreement”) with the names, addresses, birthdates, and social security numbers of J.U. and M.M., and provided it to the Dealership. The Agreement listed the price of the Sequoia as \$95,000.
- e. CC-1 and MENDEZ were arrested. Another individual who had driven MENDEZ and CC-1 to the Dealership was also arrested (“CC-2”).
- f. CC-1 was read his/her *Miranda* rights and waived them. CC-1 told law enforcement that he/she and MENDEZ attempted to buy a vehicle at the dealership with fraudulent driver’s licenses, and that they had successfully stolen other vehicles earlier in the week from New Jersey and Connecticut. CC-1 reported that she engaged in this conduct with MENDEZ, CC-2, and an individual with a particular first name (“CC-3”).
- g. CC-1 provided the NRPD written consent to search his/her cellphone. In addition, CC-1 provided law enforcement a Key Bank debit card bearing the name M.M., which was on his/her person (among other items).
- h. MENDEZ refused to speak with law enforcement. However, when searched incident to her arrest, law enforcement obtained a Key Bank debit card bearing the name J.U.

4. Based on my review of photographs taken of CC-1’s cellphone by an NRPD officer, my communications with NRPD officers, and my review of police records relating to their investigation of the New Rochelle Dealership incident, I am aware of the following:

- a. CC-1, MENDEZ, CC-2, and a number ending in 5952 (the “5952 Phone Number”) communicated via text messages in a group chat (the “Group Chat”).² The 5952 Phone Number was saved with CC-3’s first name in CC-1’s cellphone. I know that the 5952 Phone Number is used by CC-3 because, among other reasons, he

¹ These individuals are uninvolved third parties. The names of these individuals are abbreviated to protect their privacy.

² A fifth individual was added to the Group Chat on or about March 30, 2023.

provided it to law enforcement when he was arrested on or about March 30, 2023 while driving a different vehicle that had been obtained by fraudulent means in Connecticut.

- b. Before the arrests in New Rochelle, the members of the Group Chat exchanged hundreds of messages between at least on or about March 26, 2023 and March 30, 2023. In the Group Chat, CC-3 directed the co-conspirators to go to certain car dealerships to purchase vehicles using stolen identities. CC-3 provided the co-conspirators the personally identifying information of uninvolved third parties for the co-conspirators to use to steal the vehicles.
- c. In particular, on or about March 30, 2023, the following messages were exchanged in the Group Chat:

CC-3:	Can you get a Toyota sequoia Black or white I'm working with you guys please tell me some good news
MENDEZ:	We can get anything it's just a matter of who has what in stock We've been having bad luck with finding anything on this list We're calling everywhere
CC-1:	Preowned or new?
CC-3:	New
MENDEZ:	Got it New Rochelle They have the sequoia Black on black
CC-3:	Let's go
MENDEZ:	Going now couldn't hear you anymore
CC-3:	How we looking
MENDEZ:	We're there Working on it now

- d. A few days earlier, on or about March 27 or March 28, 2023, CC-3 texted the Group Chat two documents labeled with J.U.'s name. The first document contained J.U.'s social security number, birthdate, and the number, state, and address on her driver's license. The second document was a PDF from "BeenVerified" which contained

J.U.'s personal information, including her birthdate, address, phone numbers, and email addresses.

- e. At approximately 1:14 a.m. on March 28, 2023, CC-3 then sent the Group Chat a screenshot of a conversation he had with another individual with a phone number ending in 3819 (the -3819 Phone Number) on what appears to be a messaging app. That screenshot shows that the 3819 Phone Number sent CC-3 the two documents referenced in the above paragraph, after which CC-3 responded "My two id's for Vicky." After a few other text messages, the 3819 Phone Number responded "Be ready by 10 am" "To go get them[.]"
- f. At approximately 9:27 a.m. that same day, CC-3 texted the Group Chat "Id's made." Among other texts, CC-3 subsequently texted the Group Chat "Ids are being made just waiting on that" and provided an address in Yonkers, New York which he labeled as the "Location to get id's[.]"
- g. Based on my involvement in this investigation, I believe that CC-3 was communicating with the 3819 Phone Number regarding obtaining a driver's license bearing J.U.'s information for MENDEZ, the defendant, to use to steal vehicles.

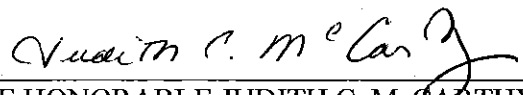
5. I know based on information from open sources and law enforcement databases, that J.U. and M.M. are in fact real people.

6. I know, based on open-source research and my involvement in this investigation, that the Dealership sells new and used cars manufactured outside of New York state.

WHEREFORE, I respectfully request that a warrant be issued for the arrest of VICTORIA MENDEZ, the defendant, and that she be arrested, and imprisoned or bailed, as the case may be.


KAREN ALTIERI
SPECIAL AGENT
FEDERAL BUREAU OF INVESTIGATION

Sworn to before me this 26 day of January, 2024.


THE HONORABLE JUDITH C. McCARTHY
United States Magistrate Judge
Southern District of New York